

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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DOUGLAS MARLAND, COSETTE :
RINAB, and ALEC CHAMBERS, : Civil Action No. _____
Plaintiffs, : Assigned to the Honorable _____
: _____
-against- : **Oral Argument Requested**
DONALD J. TRUMP, in his official :
capacity as President of the United States; :
WILBUR L. ROSS, JR., in his official :
capacity as Secretary of Commerce; and :
U.S. DEPARTMENT OF COMMERCE, :
Defendants. :
: _____
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: _____
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**DECLARATION OF COSETTE RINAB IN SUPPORT OF PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

I, Cosette Rinab, declare:

1. I am a plaintiff in this case. I have personal knowledge of and am competent to testify to the facts in this declaration.

2. I grew up in New York City. In 2018, I moved to Los Angeles to attend the University of Southern California, where I am majoring in public relations and minoring in cinematic arts. Although I had money saved for tuition, I needed a job to pay living expenses. In my first two years at USC, I held about seven jobs—including as a resident assistant in a USC dorm and a backstage technician at USC’s theatre. I needed these jobs to make ends meet.

3. In December 2018, my sophomore year, I started posting videos on TikTok. I learned about TikTok during meetings of my social media club in college. TikTok allows users to create, share, and watch videos that range from 15 to 60 seconds in length. TikTok allows users to “like” videos, comment on them, share videos, and message the creator and one another. When I post on TikTok, I have the option to select background music, augmented reality effects, and other features that allow me to edit videos. When I make a video on TikTok, I decide what content to feature, including what music to use and what message to convey. TikTok also allows me to advertise my own products and services on my profile.

4. The first video I created and posed to TikTok showed me lip-synching to the song “Steppin” by Supa Dupa Humble. Within hours of posting the video, it had been viewed more than 500,000 times, and I suddenly had about 20,000 followers, in other words, people subscribed to my video feed. Another of my videos, showing me walking backwards at a shopping mall, also went viral.

5. TikTok also allows creator to “livestream,” or in other words broadcast live on the app. When someone live streams on TikTok, viewers may send them money. Although I do not live stream today as much as I have in the past, I was at one point live streaming a couple of hours every few days, and I would earn \$50 to \$300 per day from viewers.

6. Because of my TikTok videos, fashion companies started emailing me. For example, early on, I did a video for Splat Hair Dye promoting the Disney movie Descendants 3. The fashion brands for whom I do work have become more and more famous, including high-end fashion designers Dolce & Gabbana, Tory Burch, and Balmain. Dolce & Gabbana paid for me to attend a fashion show in Milan earlier this year. On average, I earn between \$5,000 and \$10,000 for each video I create for a brand. And I now have about 2.3 million followers.

7. Although fashion is the main subject of my TikTok videos, I have done work for companies in other industries. For example, I did a video for Bumble BFF, an app for finding friends. I also did videos to promote Universal Studios movies and songs, including the movies *Last Christmas* and *Honey Boy*. I have done work for Fruit by the Foot, a snack made by General Mills; FabFitFun, a company that sells subscriptions to health and beauty products; and financial apps SoFi. and Dave.com.

8. I love creating videos for TikTok because it gives me a creative outlet and allows me to connect with people directly. It also provides me needed income, about \$7,000 to \$10,000 each month. I rely on this money to pay my living expenses.

9. Although I have tried using other platforms, such as Reels, which is owned by Instagram, other platforms simply are not comparable. For example, Reels limits videos to 15 seconds, and I often create videos that are 30 or more seconds. In addition, the audience is not the same. On TikTok, people are more supportive than on other platforms, such as Reels,

because their purpose is to find new content, not follow celebrities with whom they are already familiar. Unlike other platforms, TikTok does not have a feed for photos or long-form videos. Instead, TikTok features a “For You” page that offers users curated content, allowing me to reach new audiences on TikTok outside of my network. TikTok also allows me to collaborate with other users and be part of trends

10. I not only rely on TikTok to post content, but also to obtain content. Videos I have seen on TikTok vary dramatically in topic and tone, including videos concerning cooking, travel, and current events. I have used TikTok for educational purposes. For example, I learned from a TikTok video what a Roth IRA is, and then opened my own Roth IRA. I also found that I did better in my finance class at USC because of videos I had seen on TikTok concerning concepts such as risk and reward and pump and dump schemes. In addition to finance videos, I watch videos about psychology, including videos about the psychology of relationships. I have also watched political videos. For example, I recently saw a video supporting Joe Biden. Although I had done my own research on presidential candidates, the video helped me understand Biden’s policies on issues such as climate change and gun control. And, of course, I watch videos on fashion that provide me helpful fashion tips and tips on how to “do-it-yourself.” All of these videos are done in a way that can be easily understood by people of my generation, providing an important service that is not and cannot be fulfilled by more established media.

11. If TikTok cannot allow new users, I would lose access to my growing audience, especially if the app is likely to be shut down in the future. And, if the app were shut down, I would lose a creative outlet, my method of earning income, and access to educational and important content.

I declare under penalty of perjury that the foregoing is true and correct.

Signed at Los Angeles, California, this 18 day of September, 2020.

DocuSigned by:

Cosette Rinab
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Cosette Rinab